

# COMMENTS OF THE RECREATIONAL DIVING COMMUNITY

## CALIFORNIA MARINE LIFE PROTECTION ACT INITIATIVE BLUE RIBBON TASK FORCE MEETING

OF  
FEBRUARY 22, 2005

### AGENDA ITEM 4.

#### **DESIGN OF MPA's**

The definition of *Marine Life Reserve* includes "while, to the extent feasible, the area shall remain open to the public for managed enjoyment." We require an assurance that this right will not be abridged because of lack of funding, management or enforcement. An easy solution for the lack of the state resources would be to make a reserve off-limits. We do not want to lose our access as we are stewards of the resource.

If a designating entity or managing agency should make a determination that public access be restricted at a MPA we need an opportunity for stakeholder input. If there arises a compelling need to restrict public access it should only be restricted for specific defined causes.

When there is cause, public education should be the first action and access restrictions implemented only if the public education program has been tried and failed. The designating entity or managing agency should accept the assistance of private groups (e.g. CEN CAL) in creating public education programs when they are necessary.

Diving is an equipment intensive sport. Divers need access points that are (to varying degrees) sheltered from the prevailing seas, allow vehicles to approach the shore in order to unload and load diving equipment and are adjacent to parking. Though the coastline of central California is extensive, most of it fails to meet our access requirement because of private property restrictions, exposure to the seas, inaccessible terrain and lack of vehicle access. Maintaining these traditional access points for use by all subsets of the recreational diving community is of primary importance to us. We request that any necessary "no-access" reserves not be situated in traditional diving access areas. We realize that some entities will see a benefit of siting a "no-access" reserve where there is an existing enforcement presence (e.g. a coastside State Park). This would not be acceptable to divers.

Consumptive divers hold the same arguments for the siting of *Marine Life Reserves* where no harvesting is allowed. Being that there are so few of these traditional access points the siting process must recognize that divers can be disproportionately affected if the reserves are sited at too many of these locations. The need for access to sightseeing areas and the need for access to hunting/gathering grounds must both be accommodated. The *Zoning* aspect of the draft document will be useful in accomplishing this objective.

We would like to see *Marine Life Reserves* created at particular areas that may have minor value in contributing to the health of the ecosystem but have major value for recreation, education and tourism. This type of MPA also reflects the views of stakeholders – recreational divers. An example of this would be the Ricketts Park in Monterey.

## **FUNDING**

The funding for the Marine Life Protection Program is very nebulous at this time. The major contribution is a \$7.5 million grant from the Resources Legacy Fund Foundation that may not be repeated. The \$500,000 from the state can be redirected because of our budget crisis. The future is unknown. It would be prudent to address specific issues in anticipation of the present crisis continuing. We wish to see particular items addressed in the *Master Plan Framework*.

Divers can accept user fees when they can see the benefit of their use. They can see a benefit in the MLPAL program and would be willing to contribute. They will not be agreeable if their contribution is disproportional to other users of the marine environment and especially to those who make a profit from its resources. We do not want to see the brunt of the cost borne by the recreational user. As a parallel we feel that it is unfair that the recreational sportsperson is paying for Department of Fish and Game unfunded mandates forced upon them by the legislature.

If there is no money available for the enforcement of particular regulations at an MPA we would like to be assured that a general regulation of “No Access” will not be adopted just because it would be the easiest to enforce.

If there is no money available for the monitoring and evaluation of the MPA's we have no way of knowing if they are working as designs. We may be sacrificing privileges (access, fishing) for no reason. Though we feel the need to be conservative (in both senses of the word), after a fixed number of years with no monitoring to judge the effectiveness of an MPA it should be de-listed and all previous rights restored.

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